

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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BARBARA MARCIANO, Individually and on	:	Civil Action No. 12-cv-02708-SJF-AKT
Behalf of All Others Similarly Situated,	:	(Consolidated)
	:	
Plaintiffs,	:	CLASS ACTION
	:	
vs.	:	EXHIBIT A
	:	
SCHELL & KAMPETER, INC., et al.,	:	PLAN OF DISTRIBUTION OF
	:	SETTLEMENT PROCEEDS
Defendants.	:	
_____	X	

The Settlement Fund will be distributed to Class Members who submit valid, timely Claims under the Plan of Distribution below:

1. The Settlement creates three (3) sub-classes of Class Members:

(a) Sub-Class I: Individuals who: (1) purchased but never used a recalled pet product, never fed his/her pet or animal the recalled product, and the class member discarded or retained the product, did not return the product to the dealer or otherwise exchanged the product; or (2) purchased and used a recalled pet product that caused economic damages detailed in Sub-Class II.

(b) Sub-Class II: Individuals who, in addition to having purchased or used a recalled pet food product, sustained economic damages as a result of injury or death to animals from their consumption of a recalled product.

(c) Sub-Class III: Individuals who purchased pet food products subject to the recalls and fully utilized the products with no resultant ill effects.

2. The Settlement includes the following Diamond Pet Food Products:

Product Name	Sizes	Production Code	Dates
Apex Chicken and Rice Dog	20 lb, 40 lb bags	ACD0101B32	Best by 1/24/2013
Canidae Dog Dry Dog Food, All Life Stages	All Sizes	Number “3” in the 9th digit AND the letter “X” in the 10th or 11th digit	“Best Before” between 12/9/2012-1/31/2013
Canidae Dog Dry Dog Food, Chicken Meal & Rice	All Sizes	Number “3” in the 9th digit AND the letter “X” in the 10th or 11th digit	“Best Before” between 12/9/2012-1/31/2013
Canidae Dog Dry Dog Food, Lamb Meal & Rice	All Sizes	Number “3” in the 9th digit AND the letter “X” in the 10th or 11th digit	“Best Before” between 12/9/2012-1/31/2013
Canidae Dog Dry Dog Food, Canidae Platinum	All Sizes	Number “3” in the 9th digit AND the letter “X” in the 10th or 11th digit	“Best Before” between 12/9/2012-1/31/2013
Chicken Soup for the Pet Lover’s Soul	All Sizes & Formulas	Number “2” or “3” in the 9th digit and the letter “X” in the 10th or 11th digit	“Best Before” between 12/9/2012-4/7/2013
Country Value	All Sizes & Formulas	Number “2” or “3” in the 9th digit and the letter “X” in the 10th or 11th digit	“Best Before” between 12/9/2012-4/7/2013
Diamond	All Sizes &	Number “2” or “3” in the 9th digit and the letter “X” in the 10th or 11th	“Best Before” between

Product Name	Sizes	Production Code	Dates
	Formulas	digit	12/9/2012-4/7/2013
Diamond Naturals	All Sizes & Formulas	Number "2" or "3" in the 9th digit and the letter "X" in the 10th or 11th digit	"Best Before" between 12/9/2012-4/7/2013
Diamond Naturals Small Breed Adult Dog Lamb & Rice Formula	Samples, 6 lb and 18 lb bags	DSL0801	"Best Before" 10/20/2012; 8/26/2012; 9/27/2012; 10/18/2012
Kirkland Signature Super Premium Adult Dog Chicken, Rice & Vegetable Formula		Number "3" in the 10th digit and the letter "X" in the 11th digit	"Best Before" 12/9/2012 - 1/31/2013
Kirkland Signature Super Premium Mature Dog Chicken, Rice & Egg Formulas		Number "3" in the 10th digit and the letter "X" in the 11th digit	"Best Before" 12/9/2012 - 1/31/2013
Kirkland Signature Super Premium Healthy Weight Dog Formulated with Chicken & Vegetables		Number "3" in the 10th digit and the letter "X" in the 11th digit	"Best Before" 12/9/2012 - 1/31/2013
Kirkland Signature Nature's Domain Salmon Meal & Sweet Potato Formula for Dogs		Number "3" in the 10th digit and the letter "X" in the 11th digit	"Best Before" 12/9/2012 - 1/31/2013
Natural Balance Sweet Potato & Venison Dog	5 lb bag		Best By 12/12/2012; 12/13/2013; 3/13/2013
Natural Balance Sweet Potato & Venison Dog	15 lb bag		Best by 12/12/2012; 12/13/2012; 12/14/2012; 3/5/2013; 3/6/2013
Natural Balance Sweet Potato & Venison Dog	28 lb bag		Best By 12/12/2012; 12/13/2012; 12/14/2012; 3/5/2013; 3/6/2013; 3/7/2013; 3/8/2013; 3/12/2013
Natural Balance Lamb Meal & Brown Rice Dog	5 lb, 15 lb, 28 lb bags		Best by 12/10/2012; 12/21/2013; 12/22/2012
Natural Balance Sweet Potato & Bison Dog	5 lb bag		Best by 12/17/2012, 12/18/2012; 12/28/2012; 12/29/2012
Natural Balance Sweet Potato & Bison Dog	15 lb, 28 lb bag		Best By 12/9/2012; 12/17/2012; 12/18/2012; 12/28/2012; 12/29/2012
Natural Balance Vegetarian Dog	5 lb bag		Best By 12/9/2012
Natural Balance Lamb Meal & Brown Rice Dog Large Breed Bites	28 lb bag		Best by 12/12/2012; 12/20/2012; 12/21/2012
Natural Balance Lamb Meal & Brown Rice Dog Small Breed Bites	5 lb and 12.5 lb bags		Best by 12/21/2012

Product Name	Sizes	Production Code	Dates
Premium Edge	All Sizes & Formulas	Number “2” or “3” in the 9th digit and the letter “X” in the 10th or 11th digit	“Best Before” between 12/9/2012 and 4/7/2013
Professional	All Sizes & Formulas	Number “2” or “3” in the 9th digit and the letter “X” in the 10th or 11th digit	“Best Before” between 12/9/2012 and 4/7/2013
Solid Gold WolfKing Large Breed Adult Dog Food	All Sizes		“Best Before” 12/30/2012
Solid Gold WolfCub Large Breed Puppy Food	All Sizes		“Best Before” 12/30/2012
Taste of the Wild	All Sizes & Formulas	Number “2” or “3” in the 9th digit and the letter “X” in the 10th or 11th digit	“Best Before” between 12/9/2012 and 4/7/2013
Wellness Complete Health Super5Mix Large Breed Puppy	15 lb and 30 lb bags, 5 oz. sample bags	“Best Before” 1/9/2013 and 1/11/201	

3. The Settlement Fund will be distributed as follows:

(a) Sub-Class I: A Settlement Fund has been created, limited to a total maximum of \$750,000 to pay claims from Sub-Class I. The Class Member submitting a valid claim shall receive one of the following: (1) payment up to a maximum value of two (2) bags of pet food per pet; OR (2) a pro rata share of the net proceeds of the Settlement fund for this Sub-Class not to exceed the actual or estimated purchase price of up to two (2) bags of the pet food per pet if the Settlement fund is exhausted, if the total amount claimed by eligible Sub-Class I Members exceeds the funds available. If applicable, Class Members in Sub-Class I can request reimbursement of the cost of veterinary care and/or the fair market value of the pet as set forth in Sub-Class II, subject to the submission of proof required for Sub-Class II.

(b) Sub-Class II: A Settlement Fund has been created, limited to a total maximum of \$1,250,000 to pay claims from Sub-Class II. The Class Member in submitting a valid claim shall receive one of the following: (1) a full reimbursement of the actual cost of veterinarian testing, care, and/or treatment. However, Defendants shall not be required to reimburse for any other portion of the veterinary bill unrelated to suspected or actual salmonella illness. Furthermore, Defendants shall

reimburse only for veterinary or related charges deemed reasonable, necessary, and typical within the Class Member's community; OR (2) a pro rata share of the net proceeds of the settlement fund for this Sub-Class if the settlement fund is exhausted. If applicable, Class Members in Sub-Class II can request reimbursement of the purchase price of the product as set forth in Sub-Class I, subject to the submission of proof required for Sub-Class I. If death of a pet or animal is claimed, a Class Member submitting a valid claim shall receive: (1) the fair market value of the pet OR, if the settlement fund is exhausted, a pro rata share of the market value of the pet; AND (2) if applicable, the relief for veterinary care set forth in this Section. If applicable, Class Members in Sub-Class II can request reimbursement of the purchase price of the product as set forth in Sub-Class I, subject to the submission of proof required for Sub-Class I.

(c) Sub-Class III: Defendants will provide relief in the form of coupons to pay claims for Sub-Class III. The Class Member in submitting a valid claim shall receive one or more coupons. The total maximum value of such coupons shall be \$100,000, each with a face value of Two Dollars (\$2) to a maximum of 50,000 coupons.

4. For Sub-Class I claimants, class members will recover their damages based on the following prices:

<b><u>Apex</u></b>				
Chicken and Rice	20 Lbs.	35 Lbs.		
	\$24.99	\$43.99		
<b><u>Canidae Dog Dry Food</u></b>				
All Life States	5 Lbs.	15 Lbs.	30 Lbs.	44 Lbs.
	\$11.99	\$27.99	\$44.99	\$54.99
Chicken Meal & Rice	5 Lbs.	15 Lbs.	30 Lbs.	
	\$11.99	\$25.99	\$42.99	
Lamb Meal & Rice	5 Lbs.	15 Lbs.	30 Lbs.	
	\$11.99	\$27.79	\$44.99	
Canidae Platinum	5 Lbs.	15 Lbs.	30 Lbs.	
	\$11.99	\$20.79	\$48.99	

<b><u>Chicken Soup for the Pet Lover's Soul</u></b>				
Adult	5 Lbs.	15 Lbs.	30 Lbs.	
	\$10.99	\$26.99	\$43.99	
Large Breed	15 Lbs.	30 Lbs.		
	\$30.49	\$46.79		
Mature	5 Lbs.	15 Lbs.	30 Lbs.	
	\$10.99	\$25.99	\$46.79	
Puppy	5 Lbs.	15 Lbs.	30 Lbs.	
	\$11.49	\$27.99	\$48.49	
Adult Weight	5 Lbs.	15 Lbs.	30 Lbs.	
	\$11.99	\$27.99	\$46.79	
<b><u>Country Value</u></b>				
Adult Formula	50 Lbs.			
	\$27.37			
High Energy Adult	50 Lbs.			
	\$34.49			
<b><u>Diamond</u></b>				
Puppy Formula	8 Lbs.	20 Lbs.	40 Lbs.	
	\$8.99	\$22.99	\$42.99	
Performance Adult	20 Lbs.	40 Lbs.		
	\$24.99	\$37.99		
Maintenance Formula	20 Lbs.	40 Lbs.		
	\$22.99	\$39.99		
Premium Adult	8 Lbs.	20 Lbs.	40 Lbs.	
	\$7.89	\$23.99	\$37.99	
<b><u>Diamond Naturals</u></b>				
Small Breed Puppy	18 Lbs.	40 Lbs.		
	\$26.79	\$43.59		
Large Breed Puppy	20 Lbs.	40 Lbs.		
	\$28.49	\$45.99		
Grain Free, Beef & Sweet Potato	5 Lbs.	14 Lbs.	28 Lbs.	
	\$14.99	\$24.99	\$43.59	
Lamb Meal & Rice Adult	6 Lbs.	20 Lbs.	40 Lbs.	
	\$10.99	\$25.69	\$41.99	
Chicken & Rice Adult	40 Lbs.			
	\$40.99			
Chicken & Rice Large Breed Adult	40 Lbs.			
	\$37.99			
Grain Free, Whitefish & Sweet Potatoes	5 Lbs.	14 Lbs.	28 Lbs.	
	\$8.99	\$24.99	\$42.99	
Grain Free, Chicken & Sweet Potatoes	5 Lbs.	14 Lbs.	28 Lbs.	
	\$8.99	\$24.99	\$40.99	

Beef Meal & Rice Adult	40 Lbs.			
	\$38.99			
Extreme Athlete	40 Lbs.			
	\$47.99			
Large Breed Lamb Meal & Rice	40 Lbs.			
	\$41.99			
Small Breed Chicken & Rice	6 Lbs.	18 Lbs.		
	\$7.99	\$23.39		
Senior Formula	6 Lbs.	18 Lbs.	35 Lbs.	
	\$6.99	\$24.99	\$36.89	
Lite Formula	15 Lbs.	30 Lbs.		
	\$21.99	\$33.49		
Small Breed, Lamb & Rice	6 Lbs.	18 Lbs.		
	\$9.99	\$23.99		
<b><u>Kirkland Signature</u></b>				
Super Premium Adult Dog, Lamb, Rice & Vegetable Formula	\$29.99			
Super Premium Adult Dog, Chicken, Rice & Vegetable Formula	\$35.00			
Super Premium Mature Dog, Chicken, Rice & Egg Formula	\$24.99			
Super Premium Healthy Weight Dog, Formulated with Chicken & Vegetables	\$27.99			
Natures Domain Salmon Meal & Sweet Potato Formula	\$33.99			
<b><u>Natural Balance</u></b>				
Sweet Potato & Venison Dog	4.5 Lbs.	13 Lbs.	26 Lbs.	
	\$15.99	\$37.99	\$59.99	
Lamb Meal & Brown Rice Dog	4.5 Lbs.	14 Lbs.	28 Lbs.	
	\$13.99	\$28.99	\$46.99	
Sweet Potato & Bison Dog	4.5 Lbs.	13 Lbs.	26 Lbs.	
	\$15.99	\$36.99	\$54.99	
Vegetarian Dog	4.5 Lbs.	14 Lbs.	28 Lbs.	
	\$15.99	\$28.99	\$47.99	
Lamb Meal & Brown Rice Large Dog Breed Bites	14 Lbs.	28 Lbs.		
	\$28.99	\$46.99		
Lamb Meal & Brown Rice Small Breed Bites	4.5 Lbs.	12 Lbs.		
	\$13.99	\$26.99		
<b><u>Premium Edge</u></b>				
Salmon, Potatoes & Veggies	6 Lbs.	18 Lbs.	35 Lbs.	
	\$12.49	\$30.99	\$43.39	
Chicken, Rice & Veggies	6 Lbs.	18 Lbs.	35 Lbs.	
	\$11.99	\$28.99	\$41.99	

Healthy Weight	35 Lbs.			
	\$50.99			
Adult Lamb, Rice & Veggies	6 Lbs.	18 Lbs.	35 Lbs.	
	\$9.49	\$28.29	\$40.99	
Healthy Weight II	35 Lbs.			
	\$41.99			
Sr. Lamb, Rice, & Veggies	6 Lbs.	18 Lbs.	35 Lbs.	
	\$8.99	\$27.29	\$42.99	
Puppy Small & Medium Breed Chicken, Rice & Vegetables	6 Lbs.	35 Lbs.		
	\$9.99	\$43.79		
Large Breed, Lamb, Rice & Veggies	35 Lbs.			
	\$45.99			
<b><u>Professional</u></b>				
Adult Dog Chicken & Rice Active Formula Dry Dog Food	35 Lbs.			
	\$42.99			
Adult Dog Lamb & Rice Formula Dry Dog Food	35 Lbs.			
	\$44.99			
Adult Dog Chicken & Barley Formula Dry Dog Food	35 Lbs.			
	\$43.99			
<b><u>Solid Gold</u></b>				
Wolf King Large Breed Adult	4 Lbs.	15 Lbs.	28.5 Lbs.	
	\$14.09	\$32.54	\$54.99	
Wolf Cub Large Breed Puppy	4 Lbs.	15 Lbs.	28.5 Lbs.	
	\$13.48	\$34.40	\$55.99	
<b><u>Taste of the Wild</u></b>				
High Prairie	5 Lbs.	15 Lbs.	30 Lbs.	
	\$11.99	\$27.99	\$43.93	
Pacific Stream	5 Lbs.	15 Lbs.	30 Lbs.	
	\$11.99	\$27.99	\$43.93	
Sierra Mountains	5 Lbs.	15 Lbs.	30 Lbs.	
	\$11.99	\$28.99	\$46.99	
Wetlands Formula	5 Lbs.	15 Lbs.	30 Lbs.	
	\$11.99	\$28.99	\$43.93	
High Prairie Puppy	5 Lbs.	15 Lbs.	30 Lbs.	
	\$11.99	\$29.89	\$49.99	
Southwest Canyon	5 Lbs.	14 Lbs.	28 Lbs.	
	\$11.99	\$28.99	\$46.99	
Pacific Stream Puppy	5 Lbs.	15 Lbs.	30 Lbs.	
	\$12.99	\$29.89	\$50.99	
<b><u>Wellness</u></b>				
Complete Health Super 5 Mix Large Breed Puppy	30 Lbs.			
	\$63.99			



<b><u>4Health</u></b>				
Grain Free Pork & Potato	4 Lbs.	16 Lbs.	30 Lbs.	
	\$7.99	\$21.99	\$37.99	
Grain Free Duck & Potato	4 Lbs.	16 Lbs.	30 Lbs.	
	\$7.99	\$21.99	\$37.99	
Grain Free Healthy Weight	18 Lbs.			
	\$19.99			
Grain Free Turkey & Potato	4 Lbs.			
	\$7.99			
Grain Free Beef & Potato	4 Lbs.			
	\$7.99			
Grain Free Whitefish & Potato	4 Lbs.	16 Lbs.	30 Lbs.	
	\$7.99	\$21.99	\$37.99	
Grain Free Turkey & Potato	16 Lbs.	30 Lbs.		
	\$21.99	\$37.99		
Grain Free Beef & Potato	16 Lbs.	30 Lbs.		
	\$21.99	\$37.99		
Mature Adult	18 Lbs.			
	\$21.99			
Performance Adult	35 Lbs.			
	\$35.99			
Lamb and Rice Adult	5 Lbs.	18 Lbs.	35 Lbs.	
	\$6.99	\$19.99	\$32.99	
Chicken and Rice Adult	5 Lbs.	18 Lbs.	35 Lbs.	
	\$6.99	\$19.99	\$32.99	
Large Breed Adult	5 Lbs.	35 Lbs.		
	\$6.99	\$32.99		
Salmon and Potato Adult	5 Lbs.	18 Lbs.	35 Lbs.	
	\$7.99	\$21.99	\$35.99	
Small Bites Formula Adult	5 Lbs.	18 Lbs.	35 Lbs.	
	\$6.99	\$19.99	\$32.99	
Healthy Weight Adults	5 Lbs.	35 Lbs.		
	\$6.99	\$32.99		
Mature Adults	5 Lbs.	35 Lbs.		
	\$7.99	\$35.99		
Puppy Formula	5 Lbs.	18 Lbs.	35 Lbs.	
	\$7.99	\$21.99	\$35.99	

DATED: February 4, 2015

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